

IN THE SUPREME COURT OF THE STATE OF NEVADA

LISA TOUBEAUX,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53590

**FILED**

**APR 22 2009**

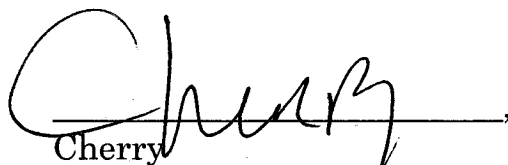
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
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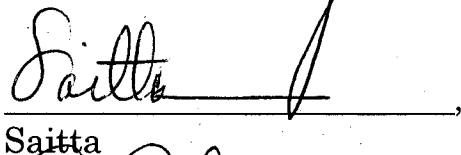
ORDER DISMISSING APPEAL

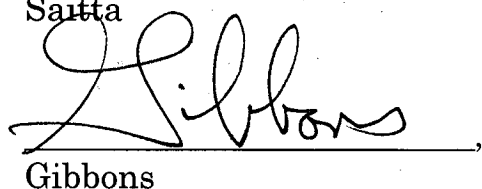
This appeal was docketed in this court on April 6, 2009. Our review of this appeal reveals a jurisdictional defect. Specifically, appellant failed to designate the judgment or order being appealed and the notice of appeal is untimely. See NRAP 3(c); NRAP 4(b). The district court docket entries indicate that the most recent order entered in appellant's case is a corrected judgment of conviction that was entered on January 4, 2007. The notice of appeal was filed on April 6, 2009, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). "[A]n untimely notice of appeal fails to vest jurisdiction in this court." Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994). Accordingly, we conclude that we lack

jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

 \_\_\_\_\_ J.

 \_\_\_\_\_ J.

 \_\_\_\_\_ J.

cc: Hon. Jerome Polaha, District Judge  
Lisa Toubeaux  
Washoe County Public Defender  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk